

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

Byron White United States Courthouse  
1823 Stout Street  
Denver, Colorado 80257  
(303) 844-3157  
Clerk@ca10.uscourts.gov

Christopher M. Wolpert  
Clerk of Court

Jane K. Castro  
Chief Deputy Clerk

October 26, 2023

Mr. Donald F. Kochersberger III  
Business Law Southwest  
6801 Jefferson Street, NE, Suite 210  
Albuquerque, NM 87109

Mr. Marshall Ray  
Law Offices of Marshall J. Ray  
514 Marble Avenue NW  
Albuquerque, NM 87102

**RE: 23-2170, United States v. Wahhaj**  
Dist/Ag docket: 1:18-CR-02945-WJ-3

Dear Counsel:

This appeal has been docketed, and the appeal number is above. **Within 14 days** from the date of this letter, Appellant's counsel must electronically file:

- **An entry of appearance** per 10th Cir. R. 46.1(A).
- **A docketing statement** per 10th Cir. R. 3.4.
- **A transcript order form or notice that no transcript is necessary** per 10th Cir. R. 10.2. This form must be filed in both the district court and this court.
- **A designation of record** per 10th Cir. R. 10.3(A). This form must be filed in both the district court and this court.
- **Either a motion to continue your CJA appointment, or a motion to withdraw** per 10th Cir. R. 46.3(B).
- **Please note:** A defendant-appellant's trial counsel in criminal and post-conviction cases must perfect the appeal before seeking to withdraw. This is the case even if counsel did not file the notice of appeal. Perfecting the appeal requires filing, at a minimum, an entry of appearance and a docketing statement. 10th Cir. R. 46.3(A).

**In addition, all counselled entities** that are required to file a Federal Rule of Appellate Procedure 26.1 disclosure statement must do so **within 14 days of the date of this letter**. All parties must refer to Federal Rule of Appellate Procedure 26.1 and Tenth Circuit Rule 26.1 for applicable disclosure requirements. All parties required to file a disclosure statement must do so even if there is nothing to disclose. Rule 26.1 disclosure statements must be promptly updated as necessary to keep them current.

**Also within 14 days**, Appellee's counsel must electronically file an entry of appearance and certificate of interested parties. **Attorneys that do not enter an appearance within the specified time frame will be removed from the service list.**

The [Federal Rules of Appellate Procedure](#), the [Tenth Circuit Rules](#), and [forms](#) for the aforementioned filings are on the court's [website](#). The Clerk's Office has also created a set of [quick reference guides](#) and [checklists](#) that highlight procedural requirements of appeals filed in this court.

Please contact this office if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Wolpert', with a long horizontal line extending to the right.

Christopher M. Wolpert  
Clerk of Court

cc: Kimberly Ann Eaton Brawley  
Jackson Tavo Hall  
Jessica Joyce  
George Christian Kraehe  
Frank Russo  
Felice John Viti  
Hujrah Wahhaj

CMW/klp